



Statement on behalf of the European Union and its Member States

By

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at the Sixth Committee

on

**Agenda item 144
"Administration of justice at the United Nations"**

United Nations

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- CHECK AGAINST DELIVERY -

Mr. Chairman,

I have the honour to speak on behalf of the Member States of the European Union.

The Candidate Countries Turkey, the former Yugoslav Republic of Macedonia , Montenegro , Serbia and Albania , the country of the Stabilisation and Association Process and potential candidate Bosnia and Herzegovina, as well as Ukraine, the Republic of Moldova, Armenia, and Georgia, align themselves with this statement.

We continue to attach great importance to the functioning of the system of administration of justice at the United Nations. The progress made since 2009 represents a collective achievement and should be commended.

We take note with appreciation of the two recent reports by the Secretary-General on the administration of justice at the United Nations (A/69/227), on the activities of the Office of the United Nations Ombudsman and Mediation Services (A/69/205), as well as the report by the Internal Justice Council (A/69/126). The processing of cases through all phases of both the informal and formal systems continues to demonstrate a marked improvement in efficiency and fairness of procedure. However, some challenges still remain to be addressed.

We see the mainstreaming of good management practices, as confirmed or corrected by the case law of the Tribunals, as an essential element on which the interim assessment should focus. In this regard we commend the work done so far in various areas of the UN administration of justice system, including the lessons learned exercises, the strengthening of the search engine, and the good work of the Office of Staff Legal Assistance, and encourage full implementation of lessons learned.

Mr Chairman,

As far as the numerous proposals for adoption or amendment of legal instruments, contained in the Report of the Secretary General, are concerned, we confirm our readiness to engage in conducive discussions on the code of conduct for legal representatives and we see a lot of merit in the proposal made.

The same goes for the proposed mechanism for addressing potential complaints made under the code of conduct for the Judges of the Tribunals.

In this context, consideration could also be given to the scope of the code of conduct, which could also apply to in-house counsel.

Cautiousness is needed as far as proposals for amending the Statute are concerned: we need to explore all their possible systemic consequences. We are in particular ready to consider the proposed amendment concerning the qualifications for appeals tribunal judges already made in 2012, which should be carefully examined.

Moreover, although we see merit in the request to ensure that the judges are accorded full diplomatic immunities as provided in section 19 of the General Convention on Privileges and Immunities, it will be necessary to further examine in this connection the issue of upgrading the rank of judges in order to secure privileges and immunities. The independence and impartiality of the Judges must be preserved by protecting them against any undue interference. Nonetheless, we need to make sure this is done in the most coherent way.

We note that all the issues above mentioned are evidence that there are specific legal aspects in this domain that remain crucial. Not all problems in the system can be addressed through technical or administrative measures.

We also urge the Secretary-General to submit proposals on realizing accountability where violations of rules and procedures have led to financial loss.

Mr. Chairman,

